REMARKS

The present Amendment amends claims 1-5, 9, 11 and 13-15 and cancels claims 7, 8, 10 and 12. Therefore, the present application has pending claims 1-5, 9, 11 and 13-15.

In paragraph 1 of the Office Action the Examiner objected to claims 8 and 9 under 37 CFR §1.75(c) as being in improper dependent form for failing to further limit the subject matter of a previous claim. As indicated above, claim 8 was canceled and claim 9 was amended to depend from claim 1 rather than claim 3. The subject matter recited in claim 9 is not recited in claim 1. Thus, claim 9 properly limits the subject matter of the previous claim 1. Therefore, this objection is overcome and should be withdrawn.

In paragraph 2 of the Office Action the Examiner objected to claim 10 as being a duplicate of claim 4. As indicated above, claim 10 was canceled. Therefore, this objection is rendered moot.

In paragraph 3 of the Office Action the Examiner objected to claim 13 as attempting to further limiting "a multiplexing equipment according to claim 7" when claim 7 is based on "a cell creating method". Amendments were made to claim 13 to make it dependent from claim 11 which is a multiplexing equipment rather than claim 7. Further, claim 7 was canceled. Thus, claim 13 now further limits a multiplexing equipment as per claim 11. Therefore, this objection is overcome and should be withdrawn.

Claim 14 stands objected to as attempting to further limit "a multiplexing equipment according to claim 8" when claim 8 is based on "a cell creation method". Amendments were made to claim 14 to make it dependent from claim 11 which is

directed to a multiplexing equipment as per claim 11. In addition, claim 8 was canceled. Thus, claim 14 further limits a multiplexing equipment. Therefore, this objection is overcome and should be withdrawn.

Claims 12 and 15 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Various amendments were made throughout claims 12 and 15 to bring them into conformity with the requirements of 35 USC §112, second paragraph. Therefore, Applicants submit that this rejection is overcome and should be withdrawn.

Amendments were made to claims 12 and 15 to overcome the objections noted by the Examiner in paragraphs 6 and 7 of the Office Action.

The Examiner's cooperation is respectfully requested to contact Applicants' Attorney by telephone should any further indefinite matters be discovered so that appropriate amendments may be made.

Claims 1, 5 and 11 stand rejected under 35 USC §102(e) as being anticipated by Noiri (U.S. Patent No. 6,272,137); claims 2, 7, 8 and 13 stand rejected under 35 USC §10e(a) as being unpatentable over Noiri in view of Takashima (U.S. Patent No. 5,509,007); and claims 4 and 10 stand rejected under 35 USC §103(a) as being unpatentable over Noiri in view of Nakao (U.S. Patent No. 6,134,249). As indicated above, claims 7, 8 and 10 were canceled. Therefore, these rejections with respect to claims 7, 8 and 10 are rendered moot. These rejections with respect to the remaining claims 1, 2, 4, 5, 11 and 13 are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in these claims are not taught or suggested by Noiri, Takashima and Nakao

whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to each of the claims so as to more clearly recite that the present invention is directed to a cell creation method and a multiplexing equipment wherein according to the cell creation method cells are created from user data to be transmitted from one of a plurality of information terminals to another one of the information terminals and control line information input from the one information terminal at a multiplexing equipment attached to the information terminal, wherein the control line information indicates a control line signal including a Received Data/Carrier Detect (RS/CD) signal which is necessary for the other information terminal to receive the user data through half duplex communication. Further, according to the present invention the cells are transmitted including the user data and the control line information to the other information terminal.

The multiplexing equipment according to the present invention realizes communication between the information terminals and includes multiplexing means for creating cells from the user data to be transmitted from one of the information terminals to another one of the information terminals and control line information input from the one information terminal wherein the control line information indicates a control line signal including a RS/CD signal which is necessary for the other information terminal to receive the user data through half duplex communication and means for transmitting the cells including the user data and the control line information to the other information terminal at a reception side.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other.

In the Office Action, for example, in paragraph 13 thereof specifically in the paragraph beginning on page 6 of the Office Action the Examiner readily admits that:

> "Noiri fails to expressly disclose that the control line signal includes a received data/carrier detect (RS/CD) signal that indicates that there is data to be transmitted, and that control information is mapped into a portion of a cell payload".

To supply the above admitted deficiency of Noiri, the Examiner attempts to combine the teachings of Noiri with the teachings in Takashima. The Examiner alleges that Takashima discloses that:

> "a receiving side device reads headers out of the payload control information part of a cell to determine what type of information is in the cell to be received.... With this information, the payload data can be properly restored. This control information describing the information to be received represents the RS/CD signal of the present invention".

However, at no point in any of the references particularly Noiri and Takashima is there any teaching of the features recited in the claims regarding the use of the RS/CD signal so as to allow the other information terminal to receive the user data through half duplex communication as in the present invention as recited in the claims. There is no teaching or suggestion at any point any of the references regarding the introduction of half duplex communication into an ATM network as recited in the claims. In fact, there is no motivation whatsoever in any of the references particularly Noiri and Takashima which would have lead one of ordinary

skill in the art to modify an ATM network so as to allow for half duplex communications between information terminals as in the present invention.

Thus, based on the above, it is quite clear that each of Noiri and Takashima suffers from the same deficiencies relative to the features of the present invention as recited in the claims and therefore fails to teach or suggest the features of the present invention whether taken individually or in combination with each other as suggested by the Examiner. Therefore, reconsideration and withdrawal of the 35 USC §102(e) rejection of claims 1, 5 and 11 as allegedly being anticipated by Noiri and the 35 USC §103(a) rejection of claims 2 and 13 as allegedly being unpatentable over Noiri in view Takashima is respectfully requested.

The above noted deficiencies of both Noiri and Takashima are not supplied by any of the other references of record particularly Nakao. Therefore, combining the teachings of Noiri with Nakao still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

The Examiner simply relies upon Nakao for an alleged teaching of a system that multiplexes user data cells with control data cells. There is absolutely no teaching or suggestion in Nakao of the above described features of the present invention now more clearly recited in the claims wherein the system provides control line information including a RS/CD signal which is necessary to allow for half duplex communication to be conducted between information terminals in an ATM network.

Thus, it is quite clear that the features of the present invention as now more clearly recited in the claims are not taught or suggested by Noiri or Nakao whether taken individually or in combination with each other as suggested by the Examiner.

Therefore, reconsideration and withdrawal of the 35 USC §103(a) rejection of claim 4 as being unpatentable over Noiri in view of Nakao is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1, 2, 4, 5, 7, 8, 10-13 and 15.

In view of the foregoing amendments and remarks, Applicants submit that claims 1-5, 9, 11 and 13-15 are in condition for allowance. Accordingly, early allowance of claims 1-5, 9, 11 and 13-15 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (566.38303X00).

Respectfully submitted,

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